

**REQUEST****FOR****CONTINUED EXAMINATION (RCE)**

Subsection (b)(1)(B) U.S.C. § 132, effective on May 29, 2000,

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

152 RCE

Application Number: 10/565,325
Filing Date: December 8, 2006
First Named Inventor: Ottermann et al.
Group Art Unit: 2875
Examiner Name: Sean P. Gramling
Attorney Docket Number: 2133.122USU
CUSTOMER NO.: 27,623

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. _____ Previously submitted

i. _____ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on _____ (any unentered amendment(s) referred to above will be entered).

ii. _____ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. _____ Other _____

b. XXXXX Enclosedi. XXXXX Amendment with transmittal

ii. _____ Affidavit(s)/Declaration(s)

iii. _____ Information Disclosure Statement (IDS) and PTO-1449

iv. _____ Other _____

2. Miscellaneous

a. _____ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)

b. _____ Other _____

3. **Fees** The RCE fee Under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.a. XXXXX The Commissioner is hereby authorized to charge any deficiency in fees, or credit any overpayments to Deposit Account No. **01-0467**.i. XXXXX RCE fee (\$810.00) required under 37 C.F.R. §1.17(e)ii. XXXXX Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)-\$620.00 (\$1110.00-3 month fee - \$490.00- 2 months (previously paid))

iii. _____ Other _____

b. XXXXX Check in the amount of **\$1430.00** enclosed

c. _____ Payment by credit card (Form PTO-2038 enclosed)

December 9, 2008

Date of Signature

Charles N.J. Ruggiero

Attorney for Applicant(s)

Registration No. 28,468

Ohlant, Greeley, Ruggiero & Perle, L.L.P.

One Landmark Square, 10th Floor, Stamford, Connecticut 06901-2682

Telephone: (203) 327-4500 Telefax: (203) 327-6401

12/9/08 OP

Telex: (203) 327-1801

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 9, 2008.

Suzanne Lombardo
NAME12/9/08
DATE

REQUEST**FOR****CONTINUED EXAMINATION (RCE)**

DEC 12 2008

Section (b) of 35 U.S.C. § 132, effective on May 29, 2000,

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 10/565,325**Filing Date:** December 8, 2006**First Named Inventor:** Ottermann et al.**Group Art Unit:** 2875**Examiner Name:** Sean P. Gramling**Attorney Docket Number:** 2133.122USU**CUSTOMER NO.:** 27,623

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114a. Previously submitted

i. _____ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on _____ (any unentered amendment(s) referred to above will be entered).

ii. _____ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. _____ Other _____

b. XXXXXX Enclosedi. XXXXXX Amendment with transmittal

ii. _____ Affidavit(s)/Declaration(s)

iii. _____ Information Disclosure Statement (IDS) and PTO-1449

iv. _____ Other _____

2. Miscellaneous

a. _____ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)

b. _____ Other _____

3. **Fees** The RCE fee Under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.a. XXXXXX The Commissioner is hereby authorized to charge any deficiency in fees, or credit any overpayments to Deposit Account No. **01-0467**.i. XXXXXX RCE fee (\$810.00) required under 37 C.F.R. §1.17(e)ii. XXXXXX Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)-\$620.00 (\$1110.00-3 month fee - \$490.00- 2 months (previously paid))

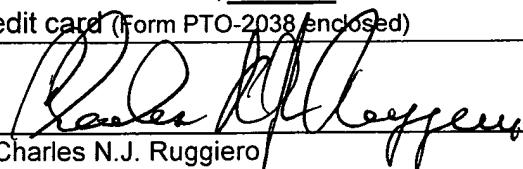
iii. _____ Other _____

b. XXXXXX Check in the amount of **\$1430.00** enclosed

c. _____ Payment by credit card (Form PTO-2038 enclosed)

December 9, 2008

Date of Signature


Charles N.J. Ruggiero

Attorney for Applicant(s)

Registration No. 28,468

Ohlandt, Greeley, Ruggiero & Perle, L.L.P.

One Landmark Square, 10th Floor

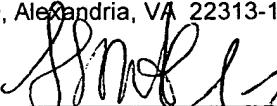
Stamford, Connecticut 06901-2682

Telephone: (203) 327-4500

Telefax: (203) 327 6401

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 9, 2008.

Suzanne Lombardo
NAME
SIGNATURE

12/9/08

DATE